

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL A. BURNHART,)	Case No. C05-1603-JLR-JPD
)	
Petitioner,)	
)	
v.)	
)	MINUTE ORDER
SNOHOMISH SUPERIOR COURT, et al,)	
)	
Respondent.)	
_____)	

The following minute order is made at the direction of the Court, the Honorable James P. Donohue, United States Magistrate Judge:

(1) On October 13, 2005, this Court issued an Order For Service and Answer in petitioner's § 2254 petition. However, petitioner improperly named James Thatcher as respondent.

(2) Petitioner is referred to the Court's order of September 29, 2005, (Dkt. No. 5), and is again directed to amend his petition to reflect the proper respondent, either the warden of his facility, the Regional Justice Center in Kent, or else the director of the Department of Adult and Juvenile Detention. Although petitioner named additional respondents, only his

01 custodian is the proper party in this case. The amended petition must be filed **no later than**
02 **the original date of October 31, 2005.** If no amended petition is timely filed, or if petitioner
03 fails to correct the deficiencies identified in this Order, the petition will be subject to dismissal.
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06 (3) Petitioner's concerns about "P#1420" (Dkt. No. 6) appear to reference a case that
07 has already been dismissed and which does not have any bearing on this suit.
08

09 DATED this _____ day of _____, 2005.

10 Bruce Rifkin
11 Clerk of the Court

12 /s/ Peter H. Voelker
13 Peter H. Voelker
14 Deputy Clerk
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